

REMARKS

Claims 1-13 are all the claims pending in the application. Applicant thanks the Examiner for indicating that claim 13 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 3 and 8 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 1-6 and 8-12 are rejected under 35 U.S.C. § 102 (e) as allegedly being anticipated by Bell et al. (U.S. Patent No. 6,549,619), hereinafter referred to as Bell. Claim 7 is rejected under 35 U.S.C. § 103 (a) as allegedly being unpatentable over Bell in view of Miyashita et al. (U.S. Patent No. 6,226,539), hereinafter referred to as Miyashita.

§ 112, second paragraph rejections - Claims 3 and 8

With respect to the § 112, second paragraph rejections, Applicant amends claims 3 and 8, as indicated herein. Applicant believes that these amendments obviate the Examiner's rejections. Applicant adds new claims 14 and 15 to substantially reflect the limitations removed from claims 3 and 8.<sup>1</sup>

§ 102(e) Rejections (Bell) - Claims 1-6 and 8-12

With respect to independent claim 1, Applicant submits that Bell does not teach or suggest at least "dynamically selecting at least one of at least one signaling mode and at least one signaling device available in said receiver terminal as a function of the state of said at least one parameter linked to the sender," as recited in claim 1. That is, claim 1 specifically recites selecting "at least one signaling mode" and/or "at least one signaling device." In Bell, however,

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<sup>1</sup> Applicant voluntarily amends claims 1, 2, 4, 5, 7, 9, and 10-12, as indicated herein for clarification purposes.

no such selection of a signaling mode and/or signaling device takes place. The Examiner appears to believe that the method of screening calls for a “privileged caller” as disclosed in Bell corresponds to selecting at least a signaling mode and/or at least a signal device. However, screening calls for a “privileged caller,” as disclosed in Bell, involves selecting a caller in the “list of privileged callers,” not selecting a signaling mode and/or a signaling device, as recited in claim 1. *See* Bell col. 2, lines 16-21.

To further illustrate the technical differences between Bell and the present invention, as recited in claim 1, Applicant submits that, in Bell, depending on a caller’s situation, a call is either signaled to a subscriber or not (YES / NO). In contrast, a result of the invention recited in claim 1 can be that, depending on a caller’s situation, a call is signaled in one way or another (YES in one way / YES in another way) (for example, lines 34-35 on page 4 of the present specification indicate that “it is clear from the foregoing that the present invention provides the user with different ways of being alerted to... .”

Therefore, at least based on the foregoing, Applicant submits that independent claim 1 is patentably distinguishable over Bell.

With respect to independent claim 10, Applicant submits that this claim is patentable at least for reasons similar to those set forth above with respect to claim 1. That is, Bell does not teach or suggest at least selecting at least one signaling mode and/or signaling device.

Additionally, Applicant submits that dependent claims 2-6, 8, 9, 11, and 12 are patentable at least by virtue of their indirect or direct dependencies from independent claims 1 and 10, respectively.

Further, with respect to dependent claim 2, Applicant amends claim 2, as indicated herein for clarification purposes, and submits that Bell does not teach or suggest at least “another parameter programmed by said user, said another parameter related to the environment or to the status of said receiver terminal,” as recited in claim 2. The Examiner appears to believe that “establishing a list of privileged callers for the subscribers,” as disclosed in Bell, corresponds to the claimed dynamic selection as a function of the parameter recited in claim 2. However, the parameter recited in claim 2 is “related to the environment or to the status of said receiver terminal.” In contrast, establishing “a list of privileged callers,” as disclosed in Bell, only relates to callers. See Bell col. 2, lines 32-39. Bell simply does not disclose selections based on a parameter related to the environment or to the status of receiver terminal. Therefore, at least based on the foregoing, Applicant submits that dependent claim 2 is patentably distinguishable over Bell.

Further, with respect to dependent claim 4, Applicant submits that Bell does not teach or suggest at least “one changeable parameter relating to the sender that is allowed for in the case of an electronic message corresponds to a degree of importance attached to said message,” as recited in claim 4. The Examiner appears to believe that screening calls “based on the area code of the caller” satisfies the above-quoted limitation. However, an area code of a caller, in no way, inherently or explicitly discloses an importance of the call. See Bell col. 3, lines 25-27. Therefore, at least based on the foregoing, Applicant submits that dependent claim 4 is patentably distinguishable over Bell.

Further, with respect to dependent claim 6, Applicant submits that Bell does not teach or suggest at least “said parameters ...are chosen from the group consisting of a specific degree of

priority or importance attached to different predefined senders, the current situation or status of said user, and preferences of said user in terms of available signaling and warning modes and/or devices,” as recited in claim 6. Bell simply does not disclose parameters pertaining to the above-quoted list, and the Examiner fails to even mention that these specific elements are present in Bell. *See* Office Action, page 4, lines 1-3. Therefore, at least based on the foregoing, Applicant submits that dependent claim 6 is patentably distinguishable over Bell.

Further, with respect to dependent claim 8, Applicant submits that Bell does not teach or suggest “at least one signaling mode and/or at least one signaling device or a combination of signaling modes and/or devices are determined, possibly in conjunction with respective degrees of intensity of their use,” as recited in claim 8. The Examiner appears to believe that screening calls based on “repeated callers that opt to have the call sent to the subscriber” satisfies the above-identified limitation. *See* Bell col. 3, lines 23-25. However, screening calls based on repeated callers pertains to a degree of intensity of calls by a caller, not the degree of intensity of use of a signaling mode and/or signaling device. Therefore, at least based on the foregoing, Applicant submits that dependent claim 8 is patentably distinguishable over Bell.

Further, with respect to dependent claim 9, Applicant submits that Bell does not teach or suggest at least “analyzing the different types of parameters that are relevant” and “allowing for their relative importance as predefined by the user, and verifying the existence of multiparameter selection configurations preprogrammed by said user and applying to said incoming call or message,” as recited in claim 9. Bell simply does not discuss the claimed “analyzing” and “applying” operations as set forth in claim 9. Therefore, at least based on the foregoing, Applicant submits that dependent claim 9 is patentably distinguishable over Bell.

Further, with respect to dependent claim 11, Applicant submits that Bell does not teach or suggest at least "...a history file being updated automatically on each new call or message by incrementing the variable indicating the number of unanswered previous calls or messages from said sender..." as recited in claim 11. There is no mention of such a history file in Bell. Therefore, at least based on the foregoing, Applicant submits that dependent claim 9 is patentably distinguishable over Bell.

Further, with respect to dependent claim 12, Applicant submits that Bell does not teach or suggest the limitations set forth in this claim. Bell does not even disclose an element which corresponds to the claimed "dynamic selector module", and Bell does not discuss the particular functions recited in claim 12. Therefore, Applicant submits that dependent claim 12 is patentably distinguishable over Bell.

**§ 103(a) Rejections (Bell / Miyashita) - Claim 7**

Applicant submits that dependent claim 7 is patentable at least by virtue of its dependency from independent claim 1. Miyashita does not make up for the deficiencies of Bell.

Finally, as indicated previously, Applicant adds new claims 14 and 15. Applicant submits that these new claims are patentable at least by virtue of their indirect dependencies from independent claim 1.

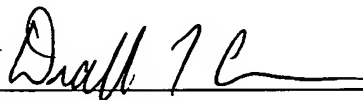
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

**AMENDMENT UNDER 37 C.F.R. § 1.111**  
**U. S. Application No. 10/072,947**

**DOCKET NO. Q68382**

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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